

### **REMARKS**

Claims 1-7 and 9-13 are pending in this application.

Claims 1-7 and 9-13 are rejected.

Claims 8 and 12 are cancelled.

Claim 14 is new.

Claim 1 is amended to incorporate features previously recited in Claim 7 which addresses when a secondary terminal is authorized.

Claim 7 is amended to incorporate previously pending Claim 8.

Claim 9 is amended for language.

Claim 10 is amended to incorporate Claim 12.

Support for new Claim 14 is found in the specification on page 1, lines 2-3 and also reference number 10 of Figure 1.

No new matter has been entered in view of these amendments.

### **§102 REJECTIONS**

Claims 1-7, 9-11 and 13 were rejected under 35 U.S.C. §102(b) as being unpatentable over Non-Patent Literature by Delp et al. (“An Overview of Multimedia Content Protection in Consumer Electronic Devices”, hereafter referred to as ‘Delp’). Applicants disagree with this ground of rejection.

Claim 1 requires two terminals in the system, each configured to access the content where a main terminal and a secondary terminal are paired. The recitation of Figure 7 in Delp however does not disclose this claimed feature.

Specifically, Figure 7 shows five devices: a content source, a digital recording device (CA domain), an access device, a digital recording device (XCA domain) and a presentation device. None of these devices show a “pairing” of a main terminal to a secondary terminal as in Claim 1. It seems unlikely that the content source and the digital recorder in the CA domain can be deemed terminals that access the content, so presumably the Examiner refers to the devices in the XCA domain for the basis of the rejection.

Of the three XCA devices, the recorder isn’t an access device, since it [p. 16, last paragraph but one] “is unable to create or descramble XCA protected bit streams.” In other words, it can store the content, but not actually access it.

This leaves us with the access device and the presentation device which are clearly not the claimed main and secondary terminals used for accessing content. This is supported when the Examiner later argues that Entitlement and Control Words are exchanged between the devices.

In view of the recitations above, there is no pairing in Delp’s Figure 7. All that it appears to say is that the access device sends Entitlement and Control Words to the presentation device. However, this does not necessitate any pairing between the devices and this information certainly isn’t used to verify the pairing, as required by the claim.

Further, there is absolutely no basis in Delp for the new feature that the second device is authorized to access the content *only* if the second terminal is connected to and able to exchange information with the first device. A quick look at Figure 7 is all that is needed to support this argument: as the presentation device may equally well receive the

content from the digital recording device, so the “only” clause of Claim 1 is not met by what is taught in Figure 7 of Delp

The same rationale for Claim 1 applies for Claim 7, 10, and 13 is there is no “pairing” that is disclosed or suggested in Delp.

For new Claim 14, the devices of Delp do not receive the same conditional access content. The access device receives a first conditional access content and creates XCA protected content that is sent to the presentation device. It is thus clear that they do not receive the same content.

Taking a look at the different goals of Delp and the present invention explains this fact. Delp is concerned with providing a flexible content protection system in which the access device converts content so that it is only usable in the local XCA domain; which is why the received content is different. The present invention on the other hand is concerned with allowing a user two decoders connected to one subscription (or possibly a base subscription and a cheaper ‘extension’ subscription), which is why they receive the same conditional access content.

For the reasons given above, Applicant asserts Claim 1 is patentable. For the same reasons given for Claim 1, Applicant asserts Claims 7, 10, and 13 are patentable. Applicant also asserts that Claims 2-6, Claim 9, Claim 11 are patentable, as such claims depend on allowable Claims 1, 7, and 10, respectively.

Respectfully submitted,

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